

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JAMES J. SILVA,

Plaintiff,

v.

JUDGE MICHAEL HIGGINS, CITY
OF PAWTUCKET, and THE OFFICE
OF THE ATTORNEY GENERAL,

Defendants.

C.A. No. 04-361S

ORDER

William E. Smith, United States District Judge.

This Court received the Report and Recommendation ("R&R") of United States Magistrate Judge Lincoln D. Almond, filed on November 29, 2005, in the above-captioned matter. Plaintiff filed an Objection to the R&R. Defendant City of Pawtucket filed a Response in Opposition. Review of the R&R is de novo. Fed. R. Civ. P. 72(b).

Plaintiff's Objection asserts that Judge Almond misstated facts, is "once again involved in an attempted cover-up[,] and erred by not allowing him to amend his complaint. The City of Pawtucket urges affirmance of the R&R, describing it as "well-reasoned and correct."

After reviewing the parties' filings and the R&R, this Court finds the analysis in the R&R fully supported by the factual record

and applicable law. This Court accepts and adopts the findings in Judge Almond's R&R, issued on November 29, 2005. The objections raised by Plaintiff are without merit; therefore, Plaintiff's Objection to the R&R is DENIED.

Accordingly, the Defendants' Motions to Dismiss, Document Nos. 43, 44, 50 and 51, are GRANTED. Plaintiff's pending Motions, Document Nos. 30, 32, 35, 38, 39, 40, 41, 42, 52, 55, and 56, are DENIED as moot. Silva's Amended Petition, therefore, is DISMISSED in its entirety. Final Judgment shall enter in favor of Defendants.

By Order,


Deputy Clerk

ENTER:



William E. Smith
United States District Judge

Date: 1/26/06